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FILED

DISTRICT COURT OF GUAM

OCT 12 2005

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RAYMOND N. ATOIGUE,)
)
Defendant.)

CRIMINAL CASE NO. 05-00035

**GOVERNMENT'S STATEMENT
ADOPTING FINDINGS OF
PRESENTENCE REPORT, AND
MOTION FOR A ONE-LEVEL
DEPARTURE**

Pursuant to General Order 88-1, as amended by General Orders 93-00006 and 98-00002, the United States adopts the findings of the Presentence Report for the above defendant.

In addition, the United States of America, plaintiff, by and through the undersigned counsel Karon V. Johnson, Assistant United States Attorney, moves this Honorable Court for a one level departure downward from the guidelines sentencing level pursuant to USSG § 3E1.1(b) because the defendant timely notified the government of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the court to allocate

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1 its resources efficiently. Accordingly, defendant's total offense level will be 27, with a
2 sentencing range of 70-87 months, because defendant qualifies for the "safety valve" departure
3 from the mandatory ten-year minimum sentence.

4 RESPECTFULLY SUBMITTED this 12th day of October, 2005.

5 LEONARDO M. RAPADAS
6 United States Attorney
7 Districts of Guam and the NMI

8 By: 
9 KARON V. JOHNSON
10 Assistant U.S. Attorney
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